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16138 U.S.P.T.O.

PTO/SB/05 (08-03)

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

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| | |
|------------------------|--|
| Attorney Docket No. | 0094.03 |
| First Inventor | Gerard R. Lazo et al. |
| Title | Computer Display Tool for Visualizing Relationships Between and Among Data |
| Express Mail Label No. | ER 316838696 US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g. PTO/SB/17)
(Submit an original and duplicate for fee processing)

2. Applicant Claims Small Entity Status
See 37 CFR 1.27

3. Specification Total Pages: 28
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the invention
- Brief Summary of the invention
- Brief Description of the Drawings (*if filed*)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) Total Sheets: 9

5. Oath or Declaration Total Sheets: 1

a. Newly executed (original or copy)
b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)

i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76 (2 Pages)

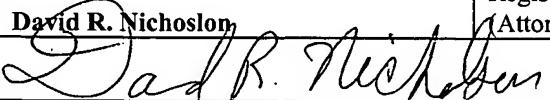
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part(CIP) of prior application no.:
Prior application information: Examiner: Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

CUSTOMER NUMBER: 25278

| | | | |
|----------------------|---|--------------------------------------|-------------------|
| Name (Print/Type) | David R. Nicholson | Registration No. (Attorney/Agent) | 38,981 |
| Signature |  | Date | December 12, 2003 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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FEE TRANSMITTAL

FY04

Effective 10/01/2003. Patent fees are subject to annual revision.

Total Amount of Payment **\$ 1256.00****METHOD OF PAYMENT**

The Commissioner is hereby authorized to charge any fees set forth in CFR §§ 1.116 to 1.118 to the Deposit Account listed below for the entire pendency of the application, or credit any overpayment to this account. A duplicate copy of this sheet is enclosed:

Deposit Account No. **50-2135**Deposit Account Name: **USDA, ARS, OTT**
Patent Advisor**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity:

| Code | Fee (\$) | Fee Description | Fee Paid |
|------|----------|------------------------|----------|
| 1001 | 770 | Utility Filing Fee | 770.00 |
| 1002 | 340 | Design Filing Fee | |
| 1003 | 530 | Plant Filing Fee | |
| 1004 | 770 | Reissue Filing Fee | |
| 1005 | 160 | Provisional Filing Fee | |

Subtotal (1) **\$ 770.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Extra Claims | Fee | Fee Paid |
|---------------------------|---------|-------------|
| Total Claims 28 -20** = 8 | X 18.00 | = 144.00 |

| Independent Claims | 5 -3** = 2 | X 86.00 | = 172.00 |
|-----------------------|------------|---------|----------|
|-----------------------|------------|---------|----------|

| Multiple Dependent | | = |
|--------------------|--|---|
|--------------------|--|---|

Large Entity:

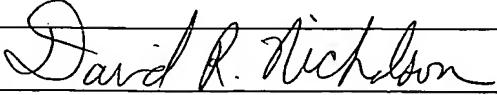
| Code | Fee (\$) | Fee Description |
|------|----------|---|
| 1202 | 18 | Claims in excess of 20 |
| 1201 | 86 | Independent claims in excess of 3 |
| 1203 | 290 | Multiple dependent claim, if not paid |
| 1204 | 86 | **Reissue independent claims over original patent |
| 1205 | 18 | ** Reissue claims in excess of 20 and over original patent |

Subtotal (2) **\$ 316.00****Complete if Known**

| | |
|----------------------|-----------------------|
| Application Number | |
| Filing Date | |
| First Named Inventor | Gerard R. Lazo et al. |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | 0094.03 |

FEE CALCULATION**3. ADDITIONAL FEES**

| Large Entity: | Code | Fee (\$) | Fee Description | Fee Paid |
|---------------|------------------------------------|----------|---|-------------------------------|
| | 1051 | 130 | Surcharge-Late filing fee or oath | |
| | 1052 | 50 | Surcharge-late provisional filing fee or cover sheet | |
| | 1053 | 130 | Non-English Specification | |
| | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| | 1251 | 110 | Extension for reply within first month | |
| | 1252 | 420 | Extension for reply within second month | |
| | 1253 | 950 | Extension for reply within third month | |
| | 1254 | 1,480 | Extension for reply within fourth month | |
| | 1255 | 2,010 | Extension for reply within fifth month | |
| | 1401 | 330 | Notice of Appeal | |
| | 1402 | 330 | Filing a brief in support of an appeal | |
| | 1403 | 290 | Request for oral hearing | |
| | 1451 | 1,510 | Petition to institute a public use proceeding | |
| | 1452 | 110 | Petition to revive – unavoidable | |
| | 1453 | 1,330 | Petition to revive – unintentional | |
| | 1501 | 1,330 | Utility issue fee (or reissue) | |
| | 1502 | 480 | Design issue fee | |
| | 1503 | 640 | Plant issue fee | |
| | 1460 | 130 | Petitions to the Commissioner | 130.00 |
| | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| | 1806 | 180 | Submission of Information Disclosure Statement | |
| | 8021 | 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| | 1809 | 770 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| | 1810 | 770 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| | 1801 | 770 | Request for Continued Examination (RCE) | |
| | 1802 | 900 | Request for expedited examination of a design application | |
| | Other fee (specify): | | | |
| | * Reduced by basic filing fee paid | | | |
| | | | | Subtotal (3) \$ 170.00 |

SUBMITTED BYName (Print/Type): **David R. Nicholson**Registration No. **38,981**
(Attorney/Agent)Telephone: **510-559-5731 or
510-559-6067**Signature: Date: **December 12, 2003**Warning: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PATENT

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Date: December 12, 2003

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Depositor's Name: David R. Nicholson

Depositor's Signature: David R. Nicholson

| | | |
|------------|---|--|
| Appl. No. | : | New Utility Application |
| Applicant | : | Gerard R. Lazo et al. |
| Title | : | Computer Display Tool for Visualizing Relationships Between and Among Data |
| TC/A.U. | : | Not yet Assigned |
| Examiner | : | Not yet Assigned |
| Docket No. | : | 0094.03 |

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION TO SUBMIT COLOR DRAWINGS and
TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Applicants hereby petition the Commissioner pursuant to 37 CFR 1.84(a)(2) in order to submit color drawings. Color drawings are necessary in this case because the invention is, in part, a graphical display which uses color to help the user see relationships between and among various data.

Accordingly, applicants submit herewith Formal Figures 1-8 (9 pages). Enclosed are Formal Figures 1-6 which are submitted with three (3) sets in color and one (1) set in black and white. Formal Figures 7-8 are submitted in black and white only.

Applicants also submit the fee (\$130.00) required Under 37 CFR 1.17(h) for the filing of this petition.

12/16/2003 FFANAEIA 00000090 502135 10734366

04 FC:1460 130.00 DA

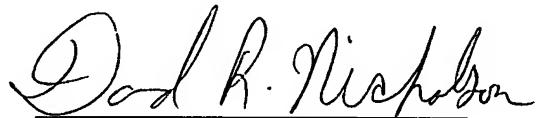
Docket No. 0094.03
Gerard R. Lazo et al.

Fee Authorization

The Commissioner is hereby authorized to charge the required fee of \$130.00 for the filing of this petition to Deposit Account No. 50-2135. The Commissioner is also authorized to charge Deposit Account No. 50-2135 for any additional fees necessitated by the filing of these documents. A duplicate copy of the FY04 Fee Transmittal is also enclosed.

If there are any questions or comments the undersigned attorney earnestly requests a telephone conference.

Respectfully submitted,



David R. Nicholson
Attorney of Record
Registration No. 38,981

Telephone: 510-559-5731 or 510-559-6067

Enclosures:

Formal Figures 1-6, 3 sets of color, 1 set of black and white drawings
Formal Figures 7-8, 1 set of black and white drawings

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

Certificate of Mailing

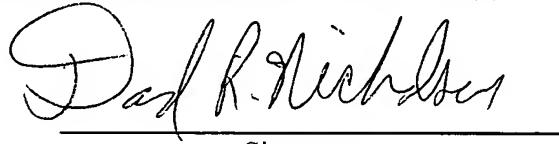
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| | |
|----------------------|--|
| First Named Inventor | Gerard R. Lazo et al. |
| Title | Computer Display Tool For Visualizing Relationships Between and Among Data |
| Docket Number | 0094.03 |
| Express Mail No. | ER 316868696 US |
| Date | December 12, 2003 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122 (b).

December 12, 2003
Date



Signature

510-559-5731 or 510-559-6067
Telephone Number

David R. Nicholson
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must **notify** the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

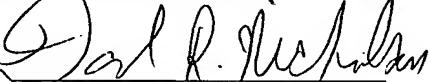
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Date: December 12, 2003

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Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Depositor's Name: **David R. Nicholson**

Depositor's Signature: 

Appl. No. : New Utility Application
Applicant : Gerard R. Lazo et al.
Title : Computer Display Tool for Visualizing Relationships Between and Among Data

TC/A.U. : Not yet Assigned
Examiner : Not yet Assigned

Docket No. : 0094.03

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF COMPUTER PROGRAM LISTING APPENDIX
COMPACT DISCS (CD-R) COPIES 1 AND 2

Sir:

I hereby state that the Computer Program Listing Appendix recorded on the Compact Discs Copy 1 and 2 are identical and are filed herewith in accordance with 37 CFR 1.52(e). The Machine format for each compact disc is IBM-PC, the operating system is Unix, The File names, file size and file creation dates are as follows:

| | | |
|------------------------------|--------|------------------|
| ./CCV/src/ | 0 | |
| ./CCV/src/README_CCV.txt | 5416 | 11/24/2003 09:24 |
| ./CCV/src/CViewer.java | 640741 | 11/21/2003 13:49 |
| ./CCV/src/servletApp.jar | 14315 | 11/21/2003 17:54 |
| ./CCV/src/CViewer.html | 162 | 11/21/2003 17:36 |
| ./CCV/src/EstsOfLibrary.java | 777 | 11/21/2003 13:48 |

Docket No. 0094.03
Gerard R. Lazo et al.

PATENT

| | | |
|--|---------|------------------|
| ./CCV/src/DataClient.java | 14377 | 11/21/2003 15:42 |
| ./CCV/src/Data.java | 4449 | 11/21/2003 13:49 |
| ./CCV/src/sampleddata/ | 0 | |
| ./CCV/src/sampleddata/README | 309 | 11/24/2003 09:13 |
| ./CCV/src/sampleddata/W_Contig_List.txt | 101970 | 11/24/2003 09:18 |
| ./CCV/src/sampleddata/W_libinfo.txt | 2159 | 11/21/2003 19:13 |
| ./CCV/src/sampleddata/W_lib_list.txt | 458 | 11/24/2003 09:19 |
| ./CCV/src/sampleddata/W_EST_Contig_Lib.txt | 1591304 | 11/24/2003 09:17 |

Respectfully Submitted,


David R. Nicholson
David R. Nicholson
Attorney of Record
Registration No. 38,981

Telephone: (510) 559-5731 or (510) 559-6067

Enclosures:

CD-R's (Copy 1 and Copy 2) of Computer Program Listing Appendix